



2008

Idaho Forest Practices Year-End Report



Photo compliments of Gretchen Lech

Developed and Submitted by

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Introduction

The Idaho Forest Practices Act (FPA) recognizes the importance of Idaho's forestlands in providing ecological, social and economic benefits to the people of Idaho. The FPA, and the associated administrative Forest Practices Rules, were developed and modified to maintain and protect vital forest resources while encouraging active management to help enhance the ecological and social benefits derived from Idaho forestlands. Protecting water quality, wildlife habitat and forest health, as well as providing sustainable tree growth to ensure the continuation of associated jobs and wood products, are just a few of the objectives that the FPA strives to achieve.

The Idaho Forest Practices Act Advisory Committee (FPAAC) is the body of professionals charged with providing direction and leadership in the promulgation of new administrative rules, or in the modification of existing rules. The Idaho Department of Lands (IDL) is the agency statutorily charged with administering and enforcing the FPA and the Forest Practices Rules.

IDL also has a Memorandum of Understanding (MOU) with the Idaho Department of Water Resources (IDWR). Pursuant to the MOU, IDL is granted the authority to permit and inspect stream-channel crossing structures installed as part of a defined forest practice. Each year, IDL provides stream-crossing installation information to IDWR related to these crossings.

Each January, the Forest Practices Program, administered by IDL, collects and compiles data from the previous calendar year to provide land managers, forestry professionals and other interested parties an overall picture of the forest practices that have occurred. This information is gathered from data collected from each IDL Area Office, where the forest practices information is kept and administered by the IDL Private Forestry Specialists. The purpose of this report is to communicate forest practices information regarding harvesting operations which occurred in Idaho and were inspected in 2008.

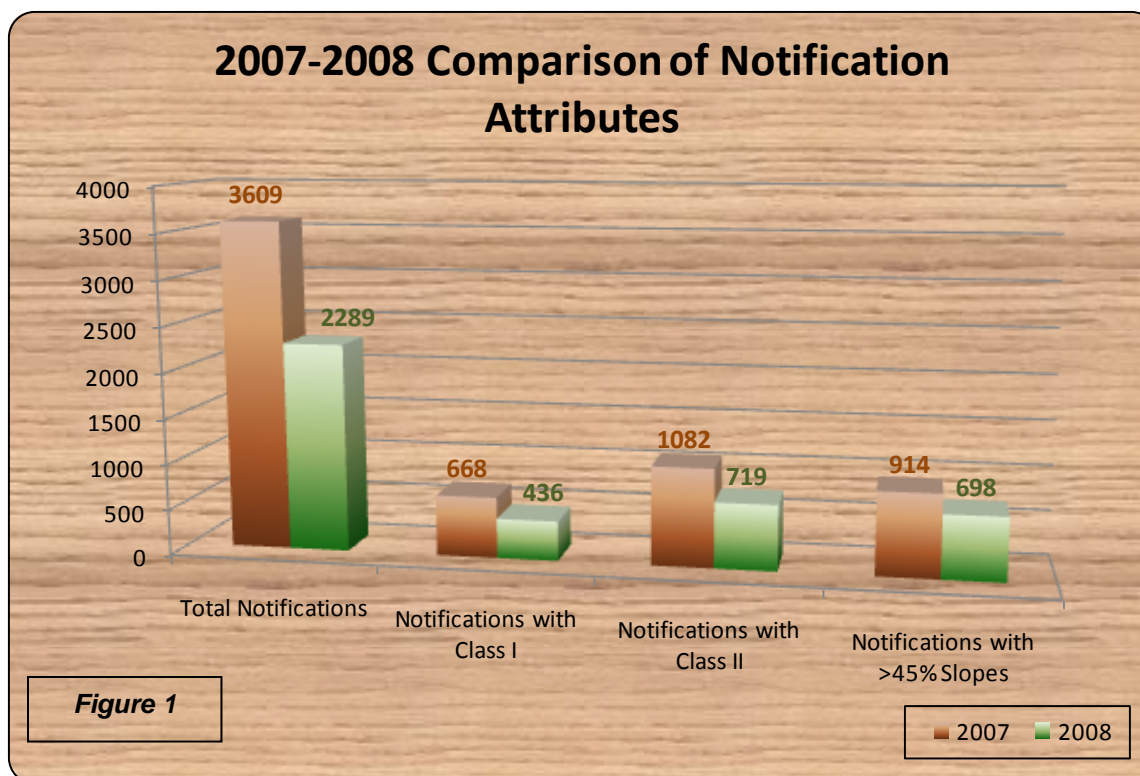
Every four years, the Idaho Department of Environmental Quality (DEQ) administers an audit of sites containing Class I streams and completed harvesting operations. During the summer of 2008 (July through October), this audit was conducted on 43 sites including industrial private, nonindustrial private, state, and Forest Service ownerships. Each operational area was inspected to check compliance with Forest Practices Rules and to observe corresponding observable effects on water quality. Overall, the audit revealed that compliance rates were generally high. While observed compliance rates were good for most of the sites, one component of the audit indicated that fish-passage-rule compliance rates were lower with regard to installations of non-embedded culverts on fish-bearing streams. The results of this audit are currently still being written up in a report by DEQ. When completed, this report will be available on the IDL public internet site, under the Forest Practices section.

Forest Practices Notifications

Before commencing any forest practice on private timberlands, an Operator (responsible for the forest-practice implementation and compliance with Forest Practices Rules) must file a Forest Practices Notification form, which also serves as the slash hazard agreement. In 2008, a clarification was made requiring that the Operator sign the Forest Practices Notification, indicating that the signatory is aware of the responsibility and liabilities involved as the legally responsible *Operator*.

On this notification, the Operator must indicate whether or not the site of the operation has a Class I stream, Class II stream, and/or steep slopes. In 2008, there were 2,289 total Forest Practices Notifications filed with IDL. *Figure 1* shows a comparison, between 2008 and 2007, of the total number of notifications, and the breakdown of notifications which indicated the presence of each of these site attributes.

In 2008, the total number of notifications filed with IDL decreased by 1,320 when compared to the previous year, a 36.6 percent decline from 2007. Of the total number of operations in which a notification was filed (2289), 19 percent (436) of them contained a Class I stream (fish-bearing or domestic-water supplying). This reflects a very slight increase in the percentage of operations containing a Class I stream; in 2007, 18.5 percent of the total operations (with a notification on file) contained a Class I stream. Also, approximately the same percentage of notifications were submitted on sites with Class II streams in or adjacent to the forest-practice operation; 30% of the total notifications indicated the presence of Class II streams in 2007, 31.4% of the notifications in 2008. The percentage of notifications indicating operations were occurring on steep slopes rose in 2008; 30.5% (698) of the 2008 notifications indicated steep slopes, and 25.3% (914) of the 2007 notifications indicated the presence of steep slopes in the operational area.



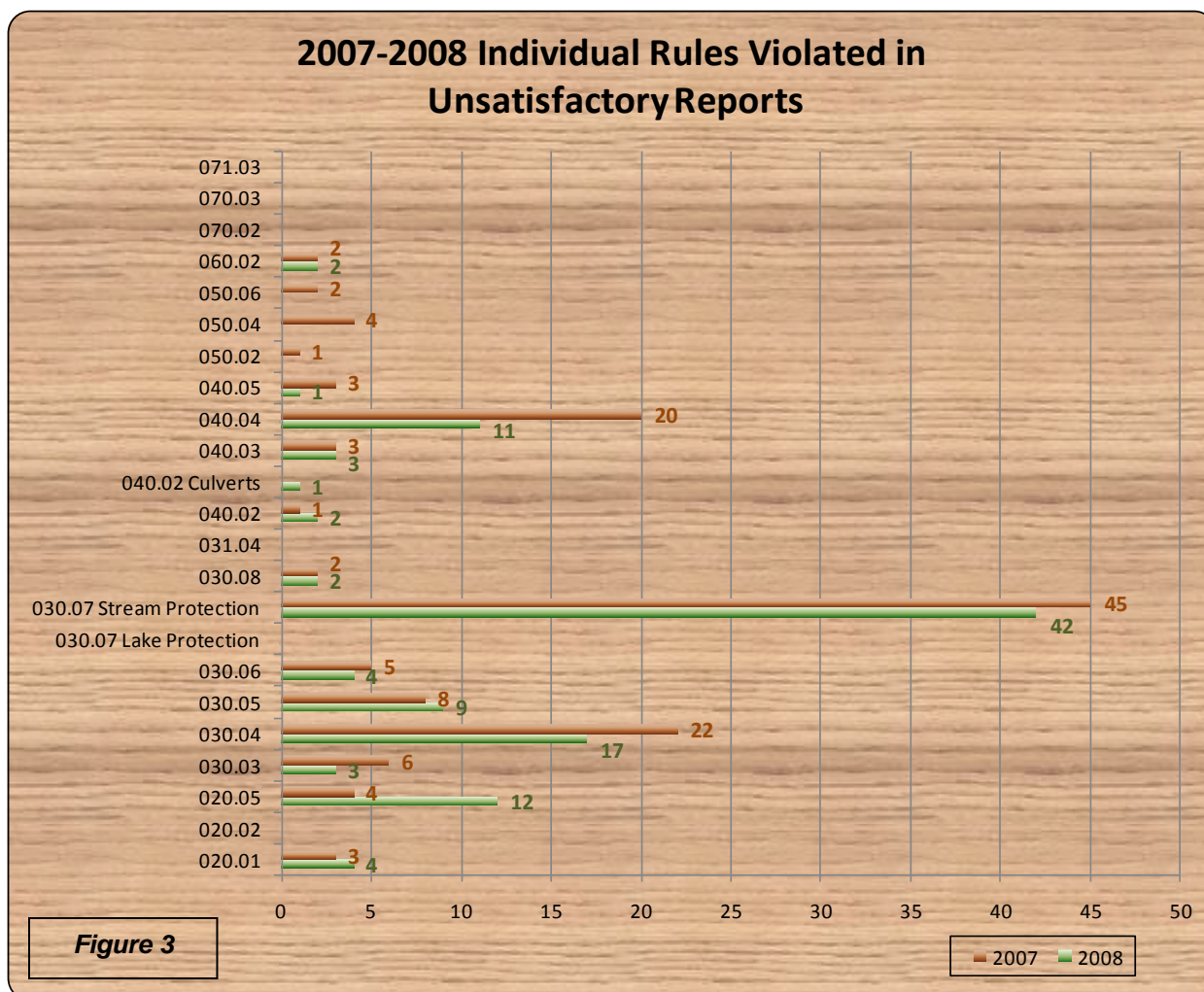
Forest Practices Inspection Reports

Once the Forest Practices Notification is on file in the local IDL Area Office, the Private Forestry Specialist begins the process of scheduling on-site inspections, striving to inspect at least 50% of all of the forest-practice operations that have a notification on file. Inspections may be performed multiple times on the same operation, depending on the observed site conditions and/or upon request of the Operator or landowner. Notifications indicating the presence of a Class I stream generally will receive an inspection as a higher priority than other operations.

Figure 2 shows a 2007-2008 comparison of the total number of inspections performed, and also the break down of those inspections into satisfactory reports (inspection reports indicating compliance with all inspected rules) and unsatisfactory reports (inspection reports indicating an infraction of at least one rule). *Figure 2* shows that, within these performed inspections, the total number of resulting inspection reports that contained all-satisfactory conditions was 2186 (*Total Satisfactory Reports*), showing that 96.4% of the inspections performed were in total compliance with the Forest Practices Rules (including sites that were found satisfactory in subsequent inspections after they were brought into full compliance through remediation). The number of inspections that resulted in reports indicating at least one unsatisfactory condition totaled 82, 3.6% of the total inspections performed.



Figure 3 shows the frequency and types of individual rules that were violated in these reports. (To see the individual administrative rules listed, visit this site to view the Forest Practices Rules: <http://adm.idaho.gov/adminrules/rules/idapa20/0201.pdf>) As was true in 2007, the majority of unsatisfactory conditions were observed in operations violating stream-protection rules (Forest Practices Rule 030.07). The number of stream-protection rules infringed decreased slightly from 45 in 2007 to 42 in 2008. There was a marked reduction of unsatisfactory conditions indicating an infraction of the road-maintenance rules (Forest Practices Rule 040.04) and a slight decrease in the number of observed infractions of the 030.04 Rule (skid trails located in the Stream Protection Zone without an issued variance).



The total number of inspection reports includes repeat and follow-up inspections on the same operation; there were actually 1,739 distinct operations (forest practices) that were inspected in 2008. A comparison of distinct operations inspected in 2007 and 2008 is shown in *Figure 4*. Approximately 76% of all operations received at least one inspection in 2008, far exceeding our statewide goal of inspecting 50% of the operations with a notification on file, and exceeding last year's inspection rate of 54%. (Note: many of the 2008 inspections were performed on sites with notifications submitted in previous years, and many of the late-year notifications did not receive inspections until after the start of 2009. However, this year-to-year carry-over remains somewhat constant over the years, and IDL consistently looks at the number of inspected operations compared to the total number of notifications submitted.)

2007-2008 Comparison of Operations Inspected:

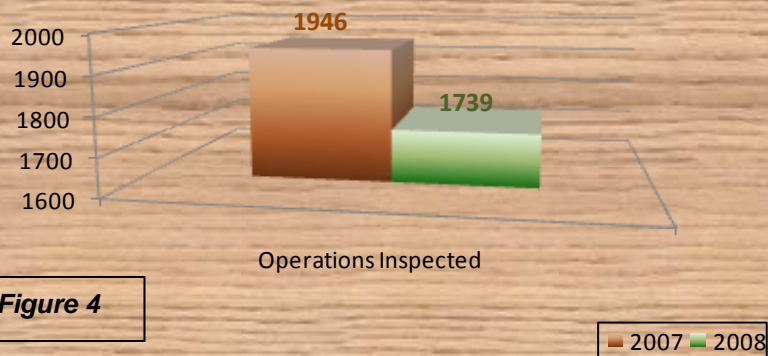


Figure 4

With the continuing prioritization of inspecting operations containing Class I streams, *Figure 5* shows the number of inspections done on operations being performed in an area containing (or adjacent to) a Class I stream.

2007-2008 Comparison of Inspection Reports with Class I Streams

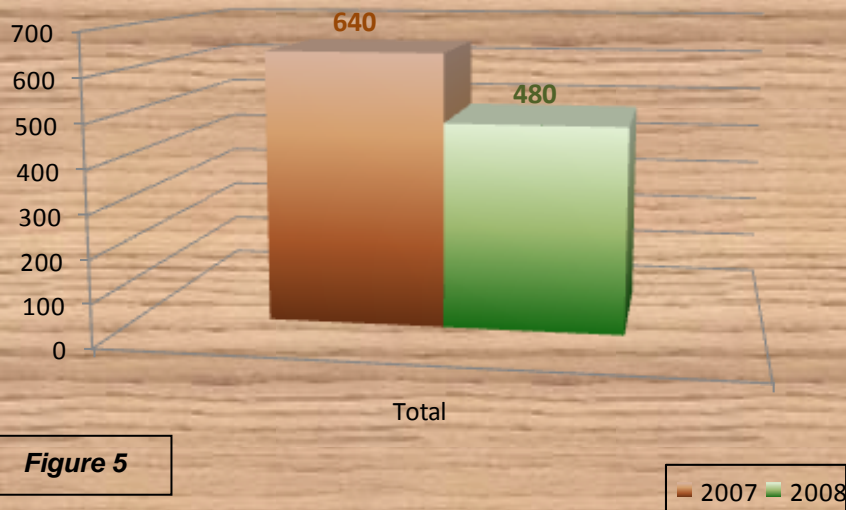


Figure 5

A Notice of Violation (NOV) is issued when repeated unsatisfactory conditions and/or severe resource degradation are observed during an inspection. In 2008, three NOVs were issued to operators throughout the state, a decrease from seven NOVs issued in 2007 (*Figure 6*).

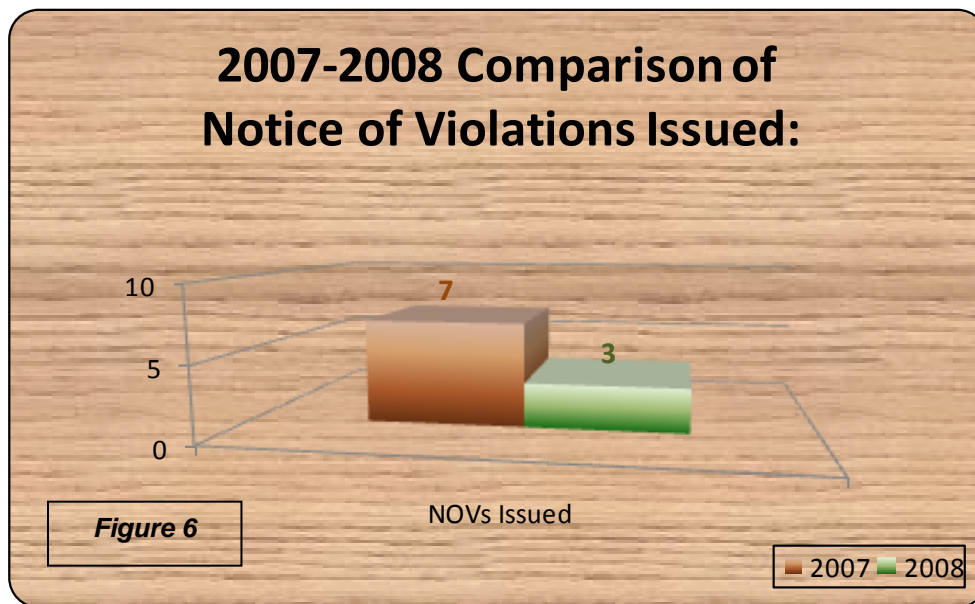
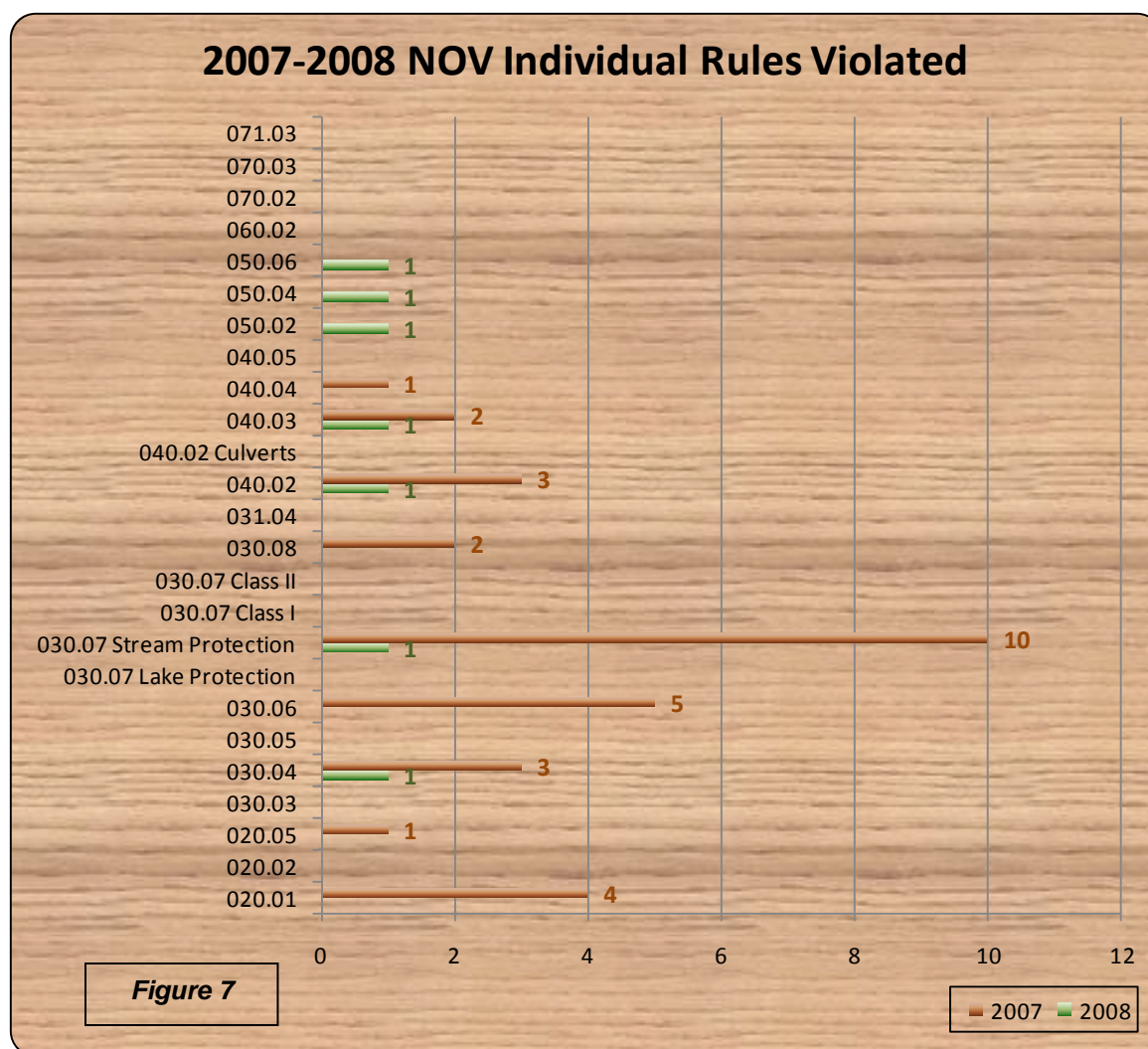


Figure 7 shows the specific violations of Forest Practices Rules which brought about the issued NOVs in 2007 and 2008 (one issued NOV may contain more than one violated rule). These rules which were violated in 2008 showed no concentration of areas of violations; the violations were evenly spread across seven different rules. These NOVs were issued on sites in which the operation caused serious resource degradation.



Complaints Made to IDL

While operations are commencing on private lands, neighboring landowners, individuals from nearby communities or interested organizations infrequently voice concerns or complaints to personnel at their local IDL Area Offices. These complaints are fielded and addressed by IDL Private Forestry Specialists. Complaints range from perceptions of resource degradation to concerns over aesthetics. The Private Forestry Specialists analyze each complaint, deciding whether or not the complaint can be addressed by checking compliance with the Forest Practices Rules; if so, a site visit is performed. *Figure 8* shows the total numbers of complaints submitted to IDL Area Offices, statewide. In 2008, of the 60 total complaints fielded by the Private Forestry Specialists, 51 of them were actually addressed by checking an operator's compliance with the Forest Practices Rules.



Variances

Variances may be granted by IDL when an Operator shows justification that acting under a modification of a Forest Practices Rule is necessary to successfully complete a forest practice. A variance is granted when, in the course of carrying out a forest practice, it is shown that an activity done in non-compliance with a rule will result in less or equal resource damage than operating within full compliance with the rules. Each variance request is carefully analyzed by an IDL Private Forestry Specialist, and a final decision is made by the IDL Area Manager after consulting with the Private Forestry Specialist. *Figure 9* shows a 2008-2007 comparison of the number of variances requested, the number of variances granted, and the number of requested variances denied.

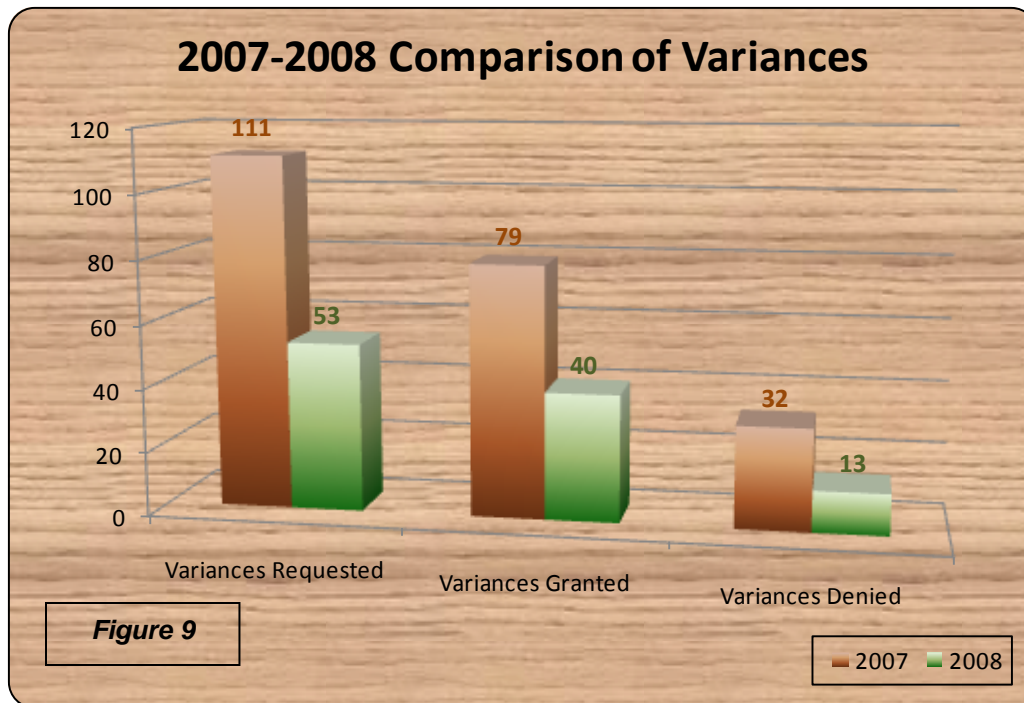


Figure 10 illustrates the types of rules from which variances were requested. Most of these highly requested variances deal with the desire to use existing trails or roads within a Stream Protection Zone. Variances of this nature were only granted if it was demonstrated to IDL that use of existing roads or skid trails (within the protected riparian area) would result in no additional degradation to the soils, water quality and fish habitat within the watershed, and that the use of these trails (or roads) would result in significantly less sediment delivery than constructing new transportation systems outside of the Stream Protection Zone.

2007-2008 Forest Practices Variances Granted

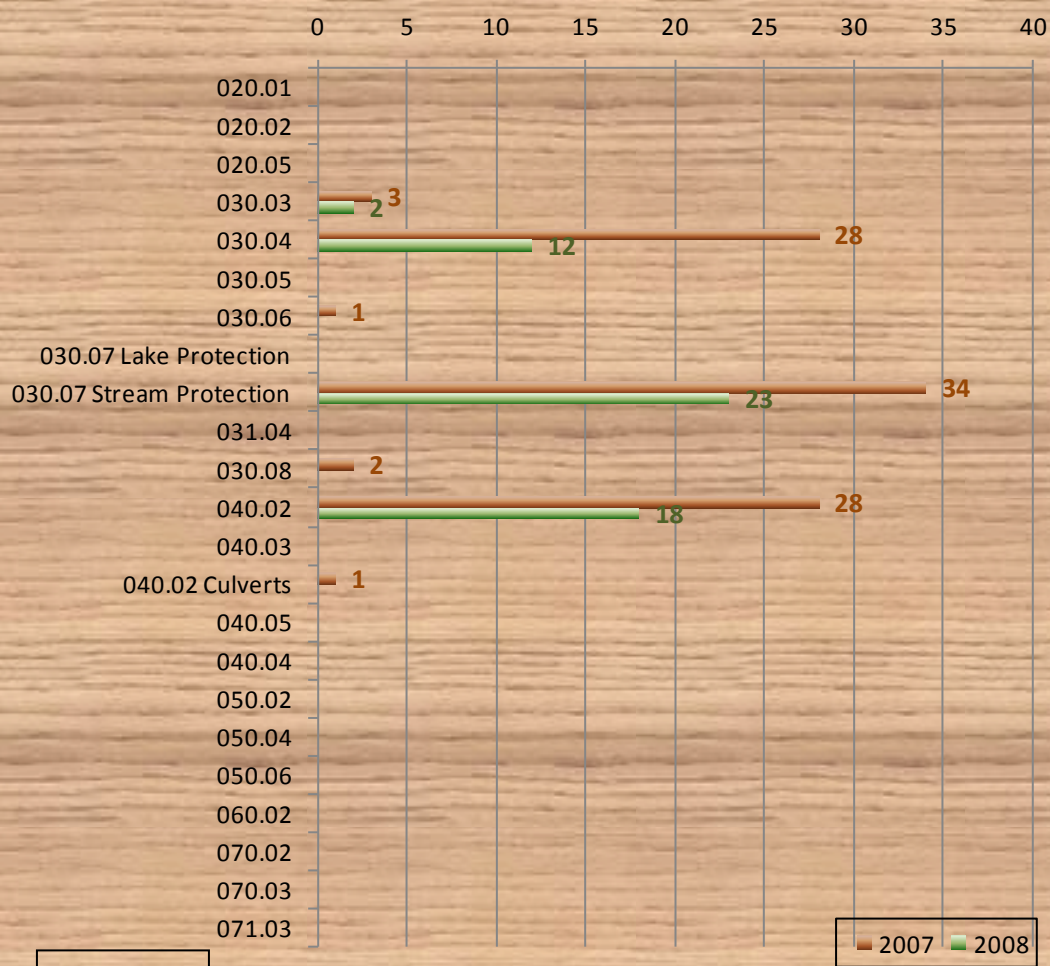
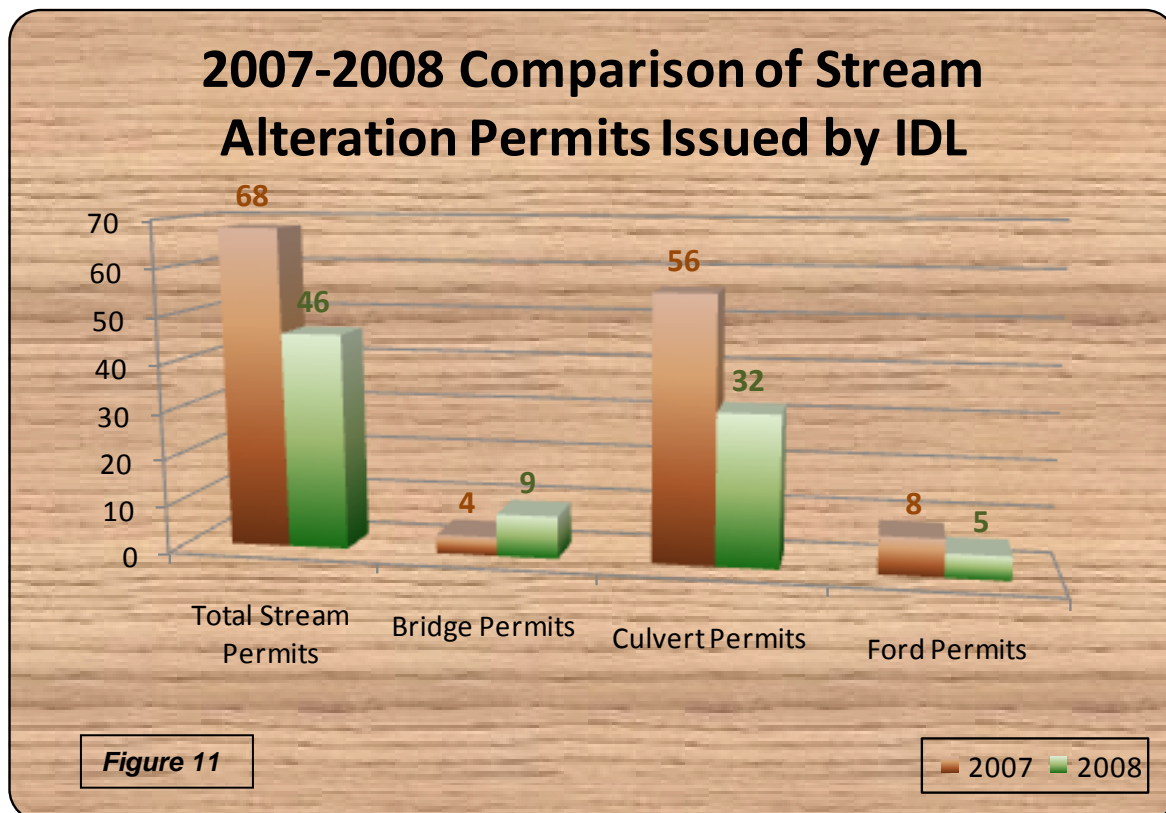
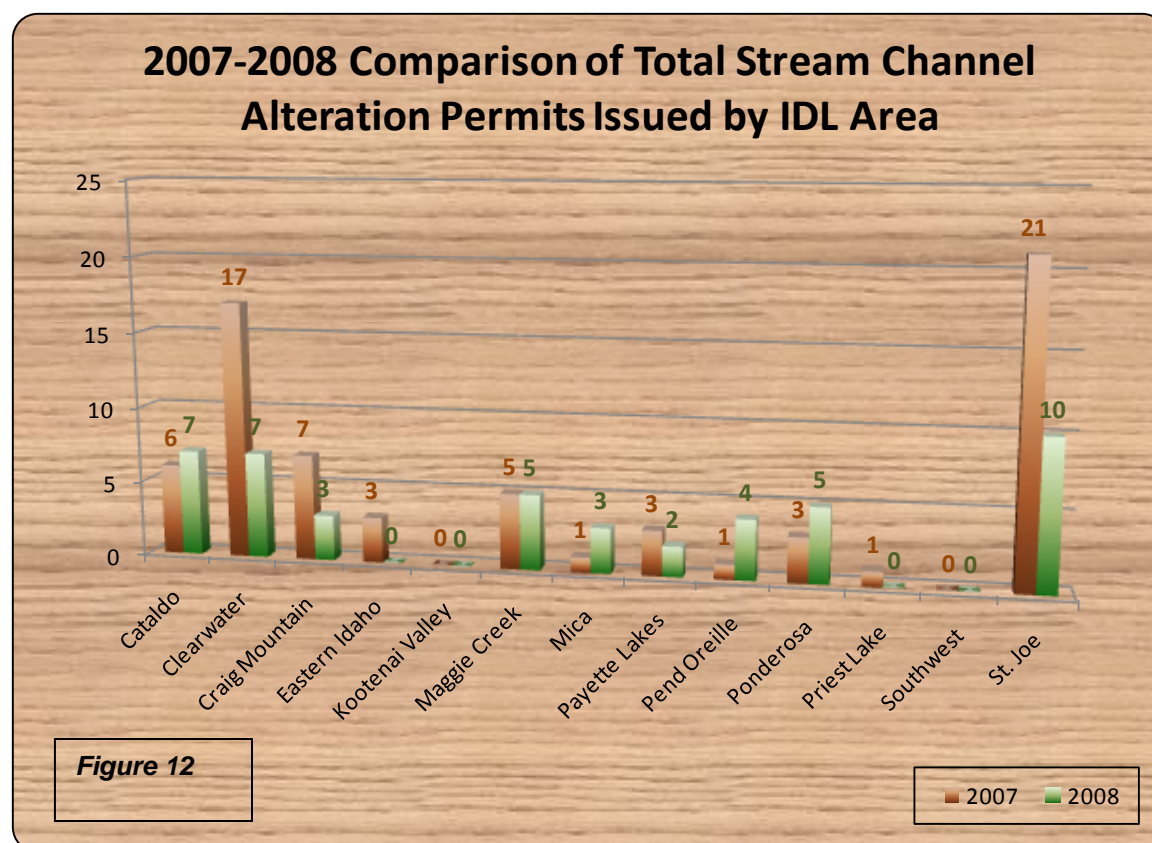


Figure 10

Stream Channel Alteration Projects Administered by IDL

In accordance with the MOU between IDL and IDWR, IDL Private Forestry Specialists have the authority to approve and administer applications for culvert, bridge and ford installations and removals on private lands, so long as the stream-channel alteration projects are part of a forest practice, and meet certain size limitations and installation criteria. *Figure 11* shows a 2008-2007 comparison of IDL-administered stream-channel-crossing permits for installations on private lands, sorted by stream-crossing structure type. *Figure 12* shows a comparison of these installation permits broken down by IDL Area Office.





Summary

By and large, 2008 Forest Practices inspections revealed very good compliance with the Idaho Forest Practices Rules; Best Management Practices are being successfully carried out by a majority of the Operators conducting harvesting operations in the state. Because of this continued high rate of compliance, exhibited in both this year-end report and the quadrennial water-quality audit, Idaho continues to enjoy a thriving forest-practices industry in an overall environment of premium water quality and protected natural resources.